

**REMARKS**

Claims 1-12 remain pending in the application.

**Claims 1, 4, 7 and 10 over Bossemeyer**

In the Office Action, claims 1, 4, 7 and 10 were rejected under 35 U.S.C. §102(e) as allegedly being obvious over U.S. Patent No. 6,870,914 to Bossemeyer et al. ("Bossemeyer"). The Applicants respectfully traverse the rejection.

Claims 1, 4, 7 and 10 recite a method and system that introduces and receives over a telephone line a digitized version of an audio message relating to a call from a calling telephone to a called telephone while a telephone line of the called telephone remains in an on-hook state.

Bossemeyer appears to disclose a telecommunications system that distributes a text-to-speech between a telephone network and a telephone subscriber unit (Abstract). Caller ID textual information is converted to an audible message for presentation to a called telephone (See col. 6, lines 14-28).

Thus, Bossemeyer discloses a system and method of presenting a caller with an audio message. However, the audio message is an audio version of Caller ID textual information, i.e., an audio version of textual information (requiring text-to-speech conversion). Bossemeyer fails to disclose or suggest digitizing an audio message, much less disclose or suggest a method and system that introduces and receives over a telephone line a digitized version of an audio message relating to a call from a calling telephone to a called telephone while a telephone line of the called telephone remains in an on-hook state, as recited by claims 1, 4, 7 and 10.

A benefit of a method and system that introduces and receives over a telephone line a digitized version of an audio message relating to a call from a calling telephone to a called telephone while a telephone line of the called telephone remains in an on-hook state is, e.g., personalizing a message to a called party without the called party having to answer a telephone to hear. Conventional caller ID information only allows a called party to identify the telephone number and/or the name of the calling party. However, a digitized

version of an audio message allows a personalized message to be conveyed to a called party, even while the called party is engaged in a phone conversation. A personalized message allows more information to be conveyed from a called party, such as the urgency of the call. A caller already engaged in a call receiving a digitized version of an audio message can make a more informed decision whether to answer and/or respond to the incoming call. The cited prior art fails to disclose or suggest the claimed features having such benefits.

For at least all the above reasons, claims 1, 4, 7 and 10 are patentable over the cited art of record. It is therefore respectfully requested that the rejection be withdrawn.

**Claims 2, 3, 5, 6, 8, 9, 11 and 12 over Bossemeyer in view of Guercio**

In the Office Action, claims 2, 3, 5, 6, 8, 9, 11 and 12 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Bossemeyer in view of U.S. Patent No. 6,373,925 to Guercio ("Guercio"). The Applicants respectfully traverse the rejection.

Claims 2, 3, 5, 6, 8, 9, 11 and 12 are dependent on claims 1, 4, 7 and 10 respectively, and are allowable for at least the same reasons as claims 1, 4, 7 and 10.

Claims 2, 3, 5, 6, 8, 9, 11 and 12 recite a method and system that introduces and receives over a telephone line a digitized version of an audio message relating to a call from a calling telephone to a called telephone while a telephone line of the called telephone remains in an on-hook state.

As discussed above, Bossemeyer fails to disclose or suggest a method and system that introduces and receives over a telephone line a digitized version of an audio message relating to a call from a calling telephone to a called telephone while a telephone line of the called telephone remains in an on-hook state, as respectively recited by claims 2, 3, 5, 6, 8, 9, 11 and 12.

The Office Action relies on Guercio to allegedly make up for the deficiencies in Bossemeyer to arrive at the claimed features. The Applicants respectfully disagree.

Guercio is relied on to disclose a signal identifying a calling party during a silent interval provided to a called telephone apparatus, whereby the called telephone apparatus is provided with Caller ID information in addition to an audio message (See Office Action, page 5). The Applicants respectfully disagree.

Guercio discloses sending only conventional Caller ID information to a called telephone apparatus (See Abstract). The Caller ID information is used to look up a voice message associated with the Caller ID information stored in a table on the called telephone apparatus (See Knuth, Abstract). As the Examiner previously acknowledged, Guercio discloses Caller ID information that is provided to a called party and an associated voice message is played (See Office Action dated July 15, 2004, page 5). Thus, **NO** audio message passes from a calling telephone to a called telephone while the called telephone is in an on-hook state, only conventional caller ID information. Guercio fails to disclose or suggest any type of audio message introduced to a called telephone while the called telephone remains in an on-hook state, much less a digitized version of an audio message relating to a call from a calling telephone, as recited by claims 2, 3, 5, 6, 8, 9, 11 and 12.

Thus, even if it were obvious to modify Bossemeyer with the disclosure of Guercio (which it is not since the two inventions are completely unrelated), the theoretical result would be a system and method that sends caller ID textual information to a called party and performs a text-to-speech conversion on the Caller ID textual information **NOT** disclosing or suggesting a method and system that introduces and receives over a telephone line a digitized version of an audio message relating to a call from a calling telephone to a called telephone while a telephone line of the called telephone remains in an on-hook state, as respectively recited by claims 2, 3, 5, 6, 8, 9, 11 and 12.

For at least all the above reasons, claims 2, 3, 5, 6, 8, 9, 11 and 12 are patentable over the cited art of record. It is therefore respectfully requested that the rejection be withdrawn.

**Conclusion**

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



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